

Dato' Sri Mariana Hj Yahya

Partner



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Qualifications

- Advocate and Solicitor, High Court of Malaya (2025)
- Bachelor of Laws, University of Malaya (1984)

Languages

- English
- Malay



Dato' Sri Mariana Hj Yahya is a Partner at Halim Hong & Quek and a distinguished former Judge of the Court of Appeal of Malaysia, with over four decades of experience in the Judicial and Legal Service and the Judiciary. Her extensive career encompasses appellate adjudication, civil and criminal proceedings, complex commercial disputes, judicial review, public law and judicial administration.

At HHQ, Dato' Sri Mariana focuses on corporate social responsibility and voluntary service, while drawing on her extensive judicial experience to provide strategic legal insight where appropriate. Her background at the appellate level gives her a distinctive perspective on legal risk, case assessment, appellate strategy and the resolution of complex legal issues.

Following her retirement from the Bench on 2 June 2025, she was admitted as an Advocate and Solicitor of the High Court of Malaya on 10 November 2025. Her transition from the Bench to the Bar brings together decades of

judicial experience with her present role in legal practice, allowing her to contribute both to client-facing matters and to the wider professional and institutional work of the firm.

Dato' Sri Mariana brings more than four decades of distinguished experience in the Judicial and Legal Service and the Judiciary. Beginning her career in 1984, she served in a wide range of judicial and legal appointments, including as Magistrate, Assistant Director of the Legal Aid Bureau, Deputy Registrar of the High Court, Sessions Court Judge, Senior Federal Counsel at the Attorney General's Chambers, and Senior Sessions Court Judge.

She was appointed Judicial Commissioner of the High Court in 2007 and elevated to Judge of the High Court of Malaya in 2010. In 2021, she was elevated to the Court of Appeal, where she served until her retirement in 2025. Her career reflects extensive experience across the courts, public law and government legal service, culminating in 18 years on the superior court Bench.

Throughout her judicial tenure, Dato' Sri Mariana delivered 1,629 written judgments in civil matters and 113 in criminal matters. Many have been published in leading legal journals and continue to serve as authoritative references for legal practitioners. This substantial body of judicial work reflects the breadth and depth of her experience across civil and criminal proceedings, particularly at the appellate level.

Areas of Expertise

- Appellate Advocacy & Strategic Legal Advisory
- Appellate Case Review & Opinion
- Criminal Appeals & Strategic Advisory
- Complex Civil & Commercial Litigation
- Judicial Review, Administrative & Public Law
- Strategic Dispute Resolution & Litigation Advisory
- Corporate, Banking & Insolvency Disputes
- Land, Property & Real Estate Disputes

Her reported decisions span civil, commercial, constitutional, administrative and criminal law. Amongst her reported decisions are *Lim Tuck Sun v Celcom Malaysia Bhd & Ors and Another Appeal*, *Attorney General of Malaysia v Maria Chin Abdullah*, *Muthukumar M Sinnathamby v Public Prosecutor and Another Appeal*, *Residenmas Development Sdn Bhd v YM Raja Halinuddin Raja Halid*, *Muhammad Shafee Md Abdullah v Attorney General & Ors and Another Case*, and *Public Prosecutor v Asni Omar*.

Beyond legal practice and judicial service, Dato' Sri Mariana has maintained a longstanding commitment to the advancement of the legal profession and its institutions. She was a member of the Special Task Force Committee on the Establishment of the Intellectual Property Court of Malaysia, coordinated the Judicial Appointments Commission's Outreach Programme from 2012 to 2013, and has served as an Executive Committee Member of the Inns of Court Malaysia since 2020. These roles reflect her continuing commitment to legal institutional development, professional education and service to the wider legal community.

Membership

- Member of the Special Task Force Committee on the Establishment of the Intellectual Property Court of Malaysia (2005–2007) under the Ministry of Domestic Trade and Industry and MyIPO. Participated in official study visits to Thailand, Japan, South Korea, the United Kingdom, and New Delhi prior to the establishment of the Intellectual Property Court on 17 July 2007.
- Alumna, University of Malaya (Law)
- Executive Committee Member, Inns of Court Malaysia (2020 – present).

Publication

- *Lim Tuck Sun vs Celcom Malaysia Bhd & Ors and Another Appeal* [2025] 7 CLJ 227, [2025] 4 MLJ 583, (CA)
- *Attorney General of Malaysia v Maria Chin Abdullah* [2025] 5 CLJ 550 (CA)
- *Queensway Nominees (Asing) Sdn Bhd v ISM Sdn Bhd & Another Appeal* [2024] 1 CLJU 2544 (CA)
- *Muthukumar M Sinnathamby v Public Prosecutor and Another Appeal* [2024] CLJU 1238 (CA)
- *Residenmas Development Sdn Bhd v YM Raja Halinuddin Raja Halid* [2024] 7 CLJ 899 (CA)
- *Muhammad Shafee Md Abdullah v Attorney General & Ors and Another Case* [2020] 10 CLJ 532 (HC)
- *Case on Smoking Prohibition within 3 Metres (or 10 Feet) of Eateries and Restaurants Mohd Hanizam Yunus & Ors v Kementerian Kesihatan* [2020] 9 MLJ 273 (HC)
- *Immunity Case – Sundra Rajoo Nadarajah v Menteri Hal Ehwal Luar Negeri, Malaysia & Ors* [2020] 5 CLJ 555 (HC)
- *Sarj Kumar v Ketua Pengarah Pendaftaran Negara & Satu Lagi* [2020] 9 CLJ 861 (HC)
- *Public Prosecutor v Asni Omar* [2014] CLJU 1730 (HC)

Judicial Distinctions & Professional Recognition

- **Former Judge of the Court of Appeal of Malaysia**
Elevated to the appellate bench in 2021 following an extensive career in the Judicial and Legal Service and Judiciary.
- **Former Judge of the High Court of Malaya**
Served in Shah Alam, Kuantan and Kuala Lumpur before her elevation to the Court of Appeal.
- **Over Four Decades of Judicial and Legal Service**
Approximately 41 years of service spanning the Magistrates' Court, Legal Aid Bureau, Deputy Registrar of the High Court, Sessions Court, Attorney General's Chambers, High Court and Court of Appeal.
- **Extensive Judicial Record**
Delivered 1,629 written judgments in civil matters and 113 written judgments in criminal matters during her judicial tenure.
- **Contribution to the Establishment of Malaysia's Intellectual Property Court**
Served on the Special Task Force Committee established in connection with the creation of the Intellectual Property Court.
- **Executive Committee Member, Inns of Court Malaysia**
Serving since 2020.